

Minute Order Form (06/97)

United States District Court, Northern District of Illinois

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|--|---|--|----------|
| Name of Assigned Judge or Magistrate Judge | Morton Denlow | Sitting Judge if Other than Assigned Judge | |
| CASE NUMBER | 99 C 6926 | DATE | 8/3/2000 |
| CASE TITLE | Euromarket Designs, Inc. vs. Crate & Barrel, et al. | | |

[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]

MOTION:

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DOCKET ENTRY:

- (1) ☐ Filed motion of [use listing in "Motion" box above.]
- (2) ☐ Brief in support of motion due _____.
- (3) ☐ Answer brief to motion due _____. Reply to answer brief due _____.
- (4) ☐ Ruling/Hearing on _____ set for _____ at _____.
- (5) ☐ Status hearing[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
- (6) ☐ Pretrial conference[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
- (7) ☐ Trial[set for/re-set for] on _____ at _____.
- (8) ☐ [Bench/Jury trial] [Hearing] held/continued to _____ at _____.
- (9) ☐ This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to]
☐ FRCP4(m) ☐ General Rule 21 ☐ FRCP41(a)(1) ☐ FRCP41(a)(2).
- (10) ☒ [Other docket entry] Bench trial on issue of damages held. Defendant having been defaulted does not appear. Testimony of Harvey J. Silverstone and James Berger. Closing arguments by Plaintiff's counsel. For reasons stated in open court, Judgment is entered in favor of Plaintiff and against Defendant Crate & Barrel Limited for a total amount of \$312,396.96. Enter Final Judgment Order.

- (11) ☒ [For further detail see order attached to the original minute order.]

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|---|---|---|--|--------------------------|
| <input type="checkbox"/> No notices required, advised in open court. <input type="checkbox"/> No notices required. <input checked="" type="checkbox"/> Notices mailed by judge's staff. <input type="checkbox"/> Notified counsel by telephone. <input type="checkbox"/> Docketing to mail notices. <input type="checkbox"/> Mail AO 450 form. <input type="checkbox"/> Copy to judge/magistrate judge. | DK courtroom deputy's initials | ED-7 FILED FOR DOCKETING 00 AUG -3 PM 5: 07 | number of notices | Document Number 35 |
| | | | AUG 04 2000 date docketed | |
| | | | [Signature] docketing deputy initials | |
| | | | 8/3/2000 date mailed notice | |
| | | | DK mailing deputy initials | |
| | | Date/time received in central Clerk's Office | | |

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Euromarket Designs, Inc.
d/b/a Crate & Barrel

Plaintiff,

vs.

Crate & Barrel Limited, Miriam Peters
and Point Blank Multimedia,

Defendants.

Civil Action No. 99 C 6926

Hon. Judge Morton Denlow

FILED
AUG 04 2000

FINAL JUDGMENT ORDER

Plaintiff, EUROMARKET DESIGNS, INC. d/b/a CRATE & BARREL ("Plaintiff"), has moved this Court, with notice to Defendant, CRATE & BARREL LIMITED ("Defendant"), for a Default Order pursuant to Federal Rule of Civil Procedure 55. On June 21, 2000, this Court entered an Injunction Order against Defendant, in accordance with Rule 55, F.R.C.P. A hearing date of August 3, 2000 at 2:00 p.m. was set for a prove-up for monetary damages and subsequent entry of a final order disposing of the entire case. Upon consideration of Plaintiff's testimony, previous submissions and relevant authorities, this Court finds that there is good cause to issue a further injunction and judgment as follows.

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IT IS HEREBY ORDERED AND ADJUDGED as follows:

1. Defendant's use of the mark and name Crate and Barrel in the purchase of goods from vendors has caused confusion and is likely to continue to cause confusion if continued. Defendant and all others in active concert or participation with Defendant are hereby permanently enjoined from using the Crate & Barrel and Crate and Barrel marks, any colorful imitations of the Crate & Barrel name and mark and/or the Crate and Barrel name and mark, and any other name or mark which cause or is likely to cause confusion thereof, in connection with the purchase of goods or services from vendors.

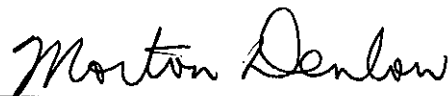
2. Defendant and all others in active concert or participation with Defendant are hereby permanently enjoined from using the Crate & Barrel and Crate and Barrel marks, any colorful imitations of the Crate & Barrel name and mark and/or the Crate and Barrel name and mark, and any other name or mark which cause or is likely to cause confusion thereof in the United States.

3. As a result of Defendant's acts complained of in this action, Plaintiff has been damaged in the amount of \$ ~~225,000.00~~ 225,000.00. Judgment for such amount is entered against Defendant and in favor of Plaintiff.

4. Plaintiff's attorneys' fees in connection with this lawsuit have totaled \$87,396.96. Plaintiff is entitled to recover its attorneys' fees from Defendant and judgment is entered in the amount of \$87,396.96 against Defendant and in favor of Plaintiff.

5. The total monetary judgment hereby entered against Defendant and in favor of Plaintiff is \$ 312,396.96

DATE: August 3, 2000



Morton Denlow
United States Magistrate Judge,
Northern District of Illinois